

MEMORANDUM

8(N)(2) Agenda Item No.

TO:

FROM:

Honorable Chairman Joe A. Martinez

DATE:

June 5, 2012

and Members, Board of County Commissioners

R. A. Cuevas, Jr.

County Attorney

SUBJECT:

Resolution approving amendments

to Implementing Order 4-107 relating

to the fee schedule for the Sustainability, Planning and

Economic Enhancement Department

The accompanying resolution was prepared by the Sustainability, Planning & Economic Enhancement Department and placed on the agenda at the request of Prime Sponsor Chairman Joe A. Martinez.

County Attorney

RAC/cp

Memorandum MIAMIDADE

Date:

June 5, 2012

To:

Honorable Chairman Joe A. Martinez

and Members, Board of County Commissioners

From:

Carlos A. Gimenez

Mayor

Subject:

Amendment to Implementing Order 4-107: Fee Schedule for the Sustainability,

Planning and Economic Enhancement Department Adding Registration Fees for

Personal Injury Protection Medical Providers

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution amending Implementing Order 4-107: Sustainability, Planning and Economic Enhancement (SPEE) Department Fee Schedule to add registration fees, late fees and registration certificate replacement fees for Personal Injury Protection Medical Providers.

Scope

The fee is applied countywide. Although the entire fee schedule is included, only Section XIV - Registration of Personal Injury Protection Medical Providers is being amended.

Fiscal Impact/Funding Source

The estimated revenue from the proposed registration requirement for Personal Injury Protection Medical Providers is approximately \$105,000 annually. This is based on an estimated 250 applicants meeting registration requirements and being approved to register. Expenses associated with the ordinance will be supported by these fees.

Track Record/Monitor

The Business Affairs and Consumer Protection Division of the Sustainability, Planning and Economic Enhancement Department will administer the County's Personal Injury Protection Medical Provider registration regulations.

Background

On February 21, 2012, the Board approved Ordinance No. 12-08, requiring the registration of Personal Injury Protection Medical Providers operating within the geographic boundaries of Miami-Dade County that derive 90 percent of their monthly gross income from billing Personal Injury Protection insurance providers, or that bill Personal Injury Protection insurance providers more than \$200,000 in a twelve (12) month period. The Business Affairs and Consumer Protection Division of the SPEE Department will be required to establish and maintain a registration process, a database of clinics, and enforce the regulations.

Registration will require proof of various federal, state and local licenses; designation of a responsible licensed physician; a listing of all persons associated with the clinic; copies of all State of Florida Department of Health licenses; listings of all associated persons criminal history, property owner information and gove/nment issued identification. The Business Affairs and Consumer Protection Division must make a determination whether or not the applicant meets the registration criteria within 30 days of receipt. If the application is incomplete, the Business Affairs and Consumer Protection Division must notify the applicant and provide them 15 days to correct their application. If the application is denied, the

Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners Page No. 2

applicant can request a hearing before a Hearing Officer pursuant to Section 8CC of the Code of Miami-Dade County Florida.

Enforcement of the ordinance will include the physical inspection of Personal Injury Protection Medical Provider locations to verify information contained in the registration application, and to ensure that they comply with ordinance requirements. Additionally, code enforcement officers will monitor Miami-Dade County for Personal Injury Protection Medical Providers operating without the appropriate registration and take appropriate enforcement action where necessary.

Jack Osterholt, Deputy Mayor

mayor09012

то:	Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners	DATE:	June 5, 2012	
FROM:	R. A. Cuevas, Jr. County Attorney	SUBJECT:	Agenda Item No.	8(N)(2
P	lease note any items checked.			
	"3-Day Rule" for committees applicable i	f raised		
	6 weeks required between first reading an	d public heari	ing	
	4 weeks notification to municipal officials hearing	required prio	r to public	
	Decreases revenues or increases expenditu	ires without b	alancing budget	
	Budget required			
	Statement of fiscal impact required			
	Ordinance creating a new board requires report for public hearing	detailed Coun	ity Manager's	
	No committee review			
	Applicable legislation requires more than 3/5's, unanimous) to approve	a majority vo	te (i.e., 2/3's,	
	Current information regarding funding so balance, and available capacity (if debt is			

Approved _		Mayor	Agenda Item No	o. 8(N)(2)
Veto _			6-5-12	
Override _				
	RESOLUTIO	ON NO.		
				ГО
	****		RELATING TO THE FLARILITY PLANNING AN	

ECONOMIC ENHANCEMENT DEPARTMENT

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Board approves the amendments to Implementing Order 4-107 relating to the fee schedule for the Sustainability, Planning and Economic Enhancement Department as set forth in the aforementioned Implementing Order.

The foregoing resolution was offered by Commissioner who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro
Esteban L. Bovo, Jr.
Sally A. Heyman
Jean Monestime
Rebeca Sosa

Lynda Bell Jose "Pepe" Diaz Barbara J. Jordan Dennis C. Moss Sen. Javier D. Souto

Xavier L. Suarez

Agenda Item No. 8(N) (2) Page No. 2

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of June, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as to form and legal sufficiency.

APA

Annery Pulgar Alfonso

I.O. No.: 4-107 Ordered: 09/20/2011

Effective: 09/30/2011

MIAMI-DADE COUNTY IMPLEMENTING ORDER

FEE SCHEDULE FOR THE CONSUMER SERVICES SUSTAINABILITY, PLANNING AND ECONOMIC ENHANCEMENT DEPARTMENT (OR ITS SUCCESSOR DEPARTMENT)

AUTHORITY:

The Miami-Dade County Home Rule Charter, including among others Sections 1.01 and 2.02A; Chapter 4, Articles I and III; Chapter 8A, Articles III, VIIA, XVI, XVII, XVIII, XX, XXII; Chapter 8AA, Article II; Chapter 30, Section 30-372.1 and Article III; Chapter 31; and Chapter 11A, Article IX of the Code of Miami-Dade County.

SUPERSEDES:

This Implementing Order supersedes Implementing Order 4-107, ordered September 20, 2011 and effective September 30, 2011.

POLICY:

This Implementing Order establishes a schedule of fees to be assessed and collected by the Consumer Services-Sustainability, Planning and Economic Enhancement Department to cover the cost of processing permits, licenses, registrations, limited authorizations, certificates, decals and applications; performing inspections; and providing other services.

FEE SCHEDULE:

The fee schedule adopted by this Implementing Order is attached hereto and made a part hereof.

This Implementing Order is hereby submitted to the Board of County Commissioners of Miaml-Dade County, Florida.

County-Mayor

Approved by the County Attorney as to form and legal sufficiency

Consumer Services Sustainability, Planning and Economic Enhancement Department or its successor Department (hereinafter the Department) Fee Schedule

The following regulatory and application fees are non-refundable, unless otherwise stated, and are separate from any occupational license fee that may be applicable.

I. AMBULANCE - Chapter 4 - Article I

The following fees pertain to Advanced Life Support and/or Basic Life Support ground or air ambulance transport services. The triennial expiration date for private ambulance Certificates is December 31st of each third calendar year following the enactment of Code modifications in the Year 2000.

Α.	Initial application fee for a Certificate of Public Convenience and Necessity by a private provider.	\$ 1,500.00
B.	Application fee for the sale, transfer or change in ownership structure of a certificate of Public Convenience and Necessity by a private provider.	\$ 1,500.00
C.	Application fee to modify the terms, conditions, provisions or limitations of a Certificate of Public Convenience and Necessity by a private provider.	\$ 1,200.00
D.	Applicants submitting a single application for more than one (1) category above must pay the greater fee applicable as the sole prevailing fee.	
E.	Triennial renewal application fee for a Certificate of Public Convenience and Necessity by a private provider.	\$ 1,500.00
F.	Annual permit fee for each transport vehicle operated by a private provider.	\$ 625,00

II. LOCKSMITH - Chapter 8A - Article XVII

The following fees shall be in effect through September 30, 2008. On October 1, 2008 and each October 1 thereafter, the fees shall be increased by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

A. Locksmith Business Registration

Initial and Annual Renewal Registration
 Fee (per business location)

\$ 300.00

Initial registration fees shall be prorated according to the number of days remaining between the date of registration issuance and the date of birth of the applicant, if the applicant is a sole proprietor, or in the case of a corporation or partnership, from the date of formation of the legal entity.

2) Late Fee for renewal of registration after expiration date (in addition to Renewal Fee)

50% of Initial and Annual Renewal Fee

3) Replacement of Registration Certificate

\$ 15.00

B. Locksmith Certificate and Permit

The following fees shall be in effect through September 30, 2009. On October 1, 2009 and each October 1 thereafter, the fees shall be increased by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$1 increment.

Permits and certificates shall take effect on the date they are approved by the Director.

1)	Apprentice a)	e Permit Initial and Annual Renewal Fee	\$ 20.00
	b)	Late Fee for Renewal of permit after expiration date (in addition to Renewal Fee)	
		50% of Initial and Annual Renewal Fee	
	c)	Replacement of Apprentice Permit	\$ 15.00
2)		ocksmith Certification Initial and Annual Renewal Fee	\$ 30.00
	b)	Late Fee for Renewal of Certification after expiration date (in addition to Renewal Fee)	
		50% of Initial and Annual Renewal Fee	
	c)	Replacement of Certified Locksmith Certification	\$ 15.00

III. MOTOR VEHICLE REPAIR - Chapter 8A - Article VIIA

Registrations, certificates, and permits shall take effect on the date they are approved by the Director.

A. Motor Vehicle Repair Shop Registration

The following fees shall be in effect through September 30, 2009. On October 1, 2009 and each October 1 thereafter, the fees shall be increased by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

 Initial and Annual Renewal Fee (per business location) \$ 250.00

2) Late Fee for Renewal of Registration after Expiration (in addition to Renewal Fee)

50% of Initial and Annual Renewal Fee

3) Replacement of Registration

\$ 15.00

B. Mechanic/Technician Certificate or Apprentice Permit

The following fees shall be in effect through September 30, 2009. On October 1, 2009 and each October 1 thereafter, the fees shall be increased by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$1 increment.

 Apprentice Permit or Certificate for Specialty or Master Mechanic, Motor Vehicle Body Repair Technician, or Motor Vehicle Paint Technician

a) Initial and Annual Renewal Fee

\$ 30.00

 b) Late Fee for Renewal of Certificate after Expiration (in addition to Renewal Fee)

50% of Initial and Annual Renewal Fee

c) Replacement of Certificate

\$ 15.00

IV. MOVING – Chapter 8A - Article XVI

The following fees shall be in effect through September 30, 2008. On October 1, 2008 and each October 1 thereafter, the fees shall be increased by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

A. Initial and Annual Renewal Registration Fee Initial registration fees shall be prorated according to the number of days remaining between the date of registration issuance and the date of birth of the applicant, if the applicant is a sole proprietor, or in the case of a

\$ 400.00

corporation or partnership, from the date of formation of the legal entity.

B. Late Fee for Renewal of Registration after Expiration (in addition to Renewal Fee)

50% of Initial and Annual Renewal Fee

C. Replacement of Registration Certificate	\$ 15.00
D. Moving Decal Fee	\$ 30.00

V. TOWING - Chapter 30 - Article - III

The following fees are non-refundable; however, license and decal fees paid for additional trucks which have not been inspected by the Consumer Services Department shall be refunded if the licensee withdraws the truck prior to inspection.

The following fees shall be in effect through September 30, 2003. On October 1, 2003 and each October 1 thereafter, the fees shall increase by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

A. Towing Company License Fees

1) Initial and Annual Renewal Fee Initial license fees shall be prorated according to the number of days remaining between the date of license issuance and the date of birth of the applicant, if the applicant is a sole proprietor, or in the case of a corporation or partnership, from the date of formation of the legal entity.

		a)	Company with one tow truck (includes one truck decal)	\$ 300.00
		b)	Each additional truck	\$ 100.00
	2)		e Fee for Renewal of License of company er expiration (in addition to Renewal Fee)	
		509	% of Initial and Annual Renewal Fee	
	3)	Re	placement of License	\$ 15.00
B.		Init	ruck Decal Fees ial and Renewal Fee each additional Tow Truck	\$ 50.00
	2)	Re	placement of Decal	\$ 35.00

VI. WATER REMETERING - Chapter 8A - Article XVIII

A. Initial and Annual Renewal Registration Fee (Per Unit)

1) Owner of Remètered Property

5.00

The following fees shall be in effect through September 30, 2008. On October 1, 2008 and each October 1 thereafter, the fees shall be increased by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

2) Remeterer

\$ 250.00

B. Late Fee for Renewal of Registration after expiration date—(in addition to Renewal Fee)

50% of Initial and Annual Renewal Registration Fee

C. Replacement of Registration Certificate

15.00

VII. SHOPPING CART - Chapter 8A - Section 8A-76(b)

This fee schedule establishes filing fees associated with petitions seeking an exemption from posting required notices on shopping carts.

The following fees shall be in effect through September 30, 2005. On October 1, 2005, and each October 1st thereafter, the fees shall increase by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$1 increment.

A. Petition involving one store location

\$ 55.00

B. Petition for each additional store location

\$ 25.00

VIII. FOR HIRE - Chapter 4 - article III, Chapter 30 - Section 372.1 and Chapter 31 Articles I-VI

A. Chauffeur Registration

 Initial and Annual Renewal Chauffeur Registration \$ 55,00

 Late Fee for Renewal of Chauffeur Registration after expiration date (in addition to Renewal Fee)

\$ 55,00

	3)	Replacement of Chauffeur Registration	\$	26.00
	4)	New Taxicab Chauffeur Training Program	\$	135.00
	5)	New Limousine Chauffeur Training Program	\$	70.00
	6)	New Private School Bus Training Program	\$	30.00
	7)	Training Examination Retake Fee	\$	15.00
B.		nousine License Initial License Application	\$	350.00
	2)	Initial and Annual Renewal License Initial license fees shall be prorated according to the numb remaining between the month of date of license issuance a annual renewal. a. Effective October 1, 2005 b. Effective October 1, 2006	er of mo and the \$ \$	onths month of 575.00 625.00
	3)	Late fee for Renewal of license after expiration date (in addition to renewal fee)	\$	550.00
	4)	Lottery Entry	\$	100.00
	5)	Replacement of License	\$	35.00
	6)	License Holder to License Holder Transfer Application	\$	170.00
	7)	License Holder to Non-License Holder Transfer Application	\$	350.00
C.		n-Emergency Vehicle Certificate Initial Certificate Application	\$	300.00
	2)	Initial and Annual Renewal Certificate Initial Certificate fee according to the number of months remaining between the certificate issuance and the month of annual renewal.		
		a. Effective October 1, 2005 b. Effective October 1, 2006	\$ \$	575.00 625.00
	3)	Replacement of Certificate	\$	35.00
	4)	Certificate Holder to Certificate Holder Transfer Application	\$	150.00
	5)	Certificate Holder to Non-Certificate Holder Transfer Application	\$	300.00

D.	Passenger Motor Carrier Certificate
	Initial Certificate and operating permit fees shall be prorated according to the number
	of months remaining between the month of the date of issuance and the month of
	annual renewal.

***	Initial Certificate Application	\$	375.00
2)	Initial and Annual Renewal Certificate a. Effective October 1, 2005 b. Effective October 1, 2006	\$	575.00 625.00
3)	Initial and Annual Renewal Operating Permit a. Effective October 1, 2005 b. Effective October 1, 2006	\$ \$	575.00 625.00
4)	Replacement of Certificate of Operating Permit	\$	35.00
5)	Modification of Certificate	\$	320.00
6)	Certificate Transfer Application	\$	375.00
7)	Emergency Temporary Certificate	\$	40.00

E. Private School Buses See Vehicle Inspection Fees and Chauffeur Registration Fees

F. Special Transportation Service Certificates Initial Certificate and Operating Permit fees shall be prorated according to the number of months remaining between the month of the date of the issuance and month of annual renewal.

	1)	Initial Certificate Application	\$ 130.00
	2)	Initial and Annual Renewal Certificate a. Effective October 1, 2005 b. Effective October 1, 2006	\$ 575.00 625.00
	3)	Replacement of Certificate/Operating Permit	\$ 35.00
	4)	Initial and Annual Renewal of Operating Permit a. Effective October 1, 2005 b. Effective October 1, 2006	\$ 575.00 625.00
G.	Tax 1)	ki Initial License Application	\$ 350.00
	2)	Initial and Annual License Renewal a. Effective October 1, 2005 b. Effective October 1, 2006	\$ 575.00 625.00

	3)	Late Fee for Renewal of License after expiration date (in addition to renewal fee)	\$	550.00
	4)	Lottery Entry	\$	100.00
	5)	Replacement of License	\$	35.00
	6)	License Holder to License Holder Transfer	\$	170.00
	7)	License Holder to Non-License Holder Transfer	\$	350.00
	8)	Passenger Service Company Registration Fee a. Effective October 1, 2005 b. Effective October 1, 2006	\$ \$	110.00 150.00
Н.	Vel 1)	hicle Inspection Fees Quarterly, Semi-Annual or Annual Vehicle Inspection, as applicable (all categories)	\$	38.00
	2)	Vehicle safety re-inspection	\$	35.00
	3)	Replacement of Decal	\$	35.00
	4)	New Vehicle Inspection	\$	70.00
	5)	Vehicle re-inspection (non-safety)	\$	20.00

IX. MOTOR VEHICLE TITLE LOANS - Chapter 8A- Article III

The following fees shall be in effect through September 30, 2000. On October 1, 2000 and each October 1 thereafter, the fees shall increase by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

A.	Мо	itor Vehicle Title Loan Business License Fees	
	1)	Initial Application and License Fee	\$ 1,250.00
	2)	Biannual Renewal Fee	\$ 1,000.00
	3)	Reactivation Fee (in addition to the Biannual Renewal Fee within 90 days of expiration)	\$ 200.00
	4)	Replacement of License	\$ 15.00

X. IMMOBILIZATION OF MOTOR VEHICLES – Chapter 30 – Article III

The following fees shall be in effect through September 30, 2000. On October 1, 2000 and each October 1 thereafter, the fees shall increase by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

Α.	Imi 1)	Initial and Annual Renewal Fee Initial License fees shall be prorated according to the number of days remaining between the date of license issuance and the date of birth of the applicant, if the applicant is a sole proprietor, or in the case of a corporation or partnership, from the date of formation of the legal entity.	\$ 500.00
	2)	Late Fee for Renewal of License of company after expiration 50% of Initial (in addition to Renewal Fee) and Annual Renewal Fee	
	3)	Replacement of License	\$ 15.00
B.		mobilization Individual license Fees Initial and Annual Renewal Fee Initial license fees shall be prorated according to the number of days remaining between the date of license issuance and the date of birth of the applicant	\$ 50.00
	2)	Late Fee for Renewal of License of Individual after expiration 50% of Initial (in addition to Renewal Fee) and Annual Renewal Fee	
	3)	Replacement of License	\$ 15.00

XI. ADMINISTRATIVE RECOVERY FEES – Chapter 4-Article I & III; 8A-Section 8A-76(B), Article III, VIIA, XVI, XVII, XVIII, XX, XXII; Chapter 8AA-Article III, Chapter 30-Section 372.1, Article III, Chapter 31-Article I-VI

The following fees are for administrative, licensing, collection and enforcement related activities necessary beyond the issuance of civil citations under Chapter 8CC.

A.	Collection Processing Fees	
	1) Case Processing Fee	\$ Actual Cost
	2) Lien Processing Fee	\$ Actual Cost
	3) Lien Recording Fee	\$ Actual Cost
	4) Lien Cancellation Fee	\$ Actual Cost
	5) Research Fee	\$ Actual Cost
	6) Inspection (each) when in excess of two	\$ 75.00

B. Interest charges at the rate of 12% per year, as amended by the Board of County Commissioners from time to time, may be assessed in addition to any other penalties.

C.	Background Check	\$ Actual Cost
D.	Notary Fee	\$ 7.00
E.	Administrative Hearing	\$ 85.00
F.	Special Event reimbursement	\$ Actual Cost
G	Agricultural Tours reimbursement	\$ Actual Cost

XII. REGISTRATION OF DOMESTIC PARTNERSHIP - Chapter 11A - Article IX

The following fees shall be in effect through September 30, 2009. On October 1, 2009, and each October 1st thereafter, the fees shall increase by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$1 increment.

А	A. Domestic Partnership Declaration Fees	
	1) Initial Registration	\$ 50.00
	2) Amendment	\$ 25.00
	3) Termination	\$ 25.00
	4) Document Replacement	\$ 15.00
	5) Additional Certificate	\$ 5.00

XIII. REGISTRATION OF PAIN MANAGEMENT CLINICS - Chapter 8A, Article XX

The following fees shall be in effect through September 30, 2012. On October 1, 2012 and each October 1 thereafter, the fees shall increase by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

 A. Initial application fee for Pain Management Clinic Registration (for 1st time applicants) 	\$ 120.00
B. Initial and Annual Renewal Registration Fee Initial registration fees shall be prorated according to the number of days remaining between the date of registration issuance and the date of birth of the applicant, if the applicant is a sole proprietor, or in the case of a corporation or partnership, from the date of formation of the legal entity	\$ 1,200.00

C. Late Fee for Renewal of Registration after Expiration (in addition to Renewal Fee)

50% of Initial and Annual Renewal Fee

D. Replacement of Registration Certificate

\$ 15.00

XIV. REGISTRATION OF PERSONAL INJURY PROTECTION MEDICAL PROVIDERS - Chapter 8A, Article XXII

The following fees shall be in effect through September 30, 2013. On October 1, 2013 and each October 1 thereafter, the fees shall increase by the percentage increase in the Consumer Price Index during the preceding year, rounded up to the nearest \$5 increment.

- A. Initial and Annual Renewal Registration Fee \$ 445.00
 Initial registration fees shall be prorated according to
 the number of days remaining between the date of
 registration issuance and the date of birth of the applicant,
 if the applicant is a sole proprietor, or in the case of a
 corporation or partnership, from the date of formation of
 the legal entity
- B. Late Fee for Renewal of Registration after Expiration (in addition to Renewal Fee)
 50% of Initial and Annual Renewal Fee
- C. Replacement of Registration Certificate \$ 15.00